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APPLICATION NO. FILING DATE		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/698,382	2	10/27/2000	William D. Georges	SST/1061	6345	
498	759	0 11/19/2003		EXAMINER		
JAMES			BAXTER, GWEN	BAXTER, GWENDOLYN WRENN		
405 14TH STREET SUITE 1607				ART UNIT	PAPER NUMBER	
OAKLA	ND, CA	A 94612	3632			
				DATE MAILED: 11/19/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

			Application N	0.	Applicant(s)					
			09/698,382		GEORGES ET AL	••				
	Office Action Summary	1	Examiner		Art Unit					
	•		Gwendolyn Ba		3632					
Period for	The MAILING DATE of this commu Reply	nication app	ars on the cov	rsh et with the c	orrespondence ad	dress				
THE M - Extens after S - If the p - If NO p - Failure - Any re	RTENED STATUTORY PERIOD AILING DATE OF THIS COMMUI ions of time may be available under the provision (X (6) MONTHS from the mailing date of this conceriod for reply specified above is less than thirty eriod for reply is specified above, the maximum to reply within the set or extended period for reply received by the Office later than three months patent term adjustment. See 37 CFR 1.704(b).	NICATION. ns of 37 CFR 1.136(nmunication. (30) days, a reply w statutory period will bly will, by statute, ca	(a). In no event, ho vithin the statutory r apply and will expi ause the application	wever, may a reply be tim ninimum of thirty (30) days re SIX (6) MONTHS from n to become ABANDONEI	nely filed s will be considered timel the mailing date of this co O (35 U.S.C. § 133).	y. ommunication.				
1)⊠ F	Responsive to communication(s) fi	led on <u>26 Sep</u>	otember 2003							
2a) <u> </u>	This action is FINAL .	2b)⊠ This ac	ction is non-fi	nal.						
	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.									
Dispositio	n of Claims									
4)🛛 (Claim(s) <u>1-21</u> is/are pending in the application.									
4	4a) Of the above claim(s) is/are withdrawn from consideration.									
5) 🗌 (Claim(s) is/are allowed.									
6)⊠ (Claim(s) <u>1-14</u> is/are rejected.									
7)🛛 (Claim(s) <u>15-21</u> is/are objected to.									
8) 🗌 (Claim(s) are subject to rest	iction and/or e	election requi	rement.						
Applicatio	n Papers									
9)[] T	he specification is objected to by t	he Examiner.								
10)□ T	he drawing(s) filed on is/ar	е: а) 🗌 ассер	oted or b) 🗌 o	bjected to by the E	Examiner.					
A	Applicant may not request that any obj	ection to the dra	awing(s) be he	ld in abeyance. See	e 37 CFR 1.85(a).					
	Replacement drawing sheet(s) including					, ,				
11)∐ T	he oath or declaration is objected	to by the Exar	miner. Note tl	ne attached Office	Action or form PT	O-152.				
Priority ur	nder 35 U.S.C. §§ 119 and 120									
a)	Acknowledgment is made of a clain All b) Some * c) None of: Certified copies of the priorite Copies of the priorite Copies of the priorite Copies of the priorite Copies of the copies of the copies of the certified copies	y documents I y documents I s of the priority	have been rechave been rechave been recharged	ceived. ceived in Applicati have been receive	on No	Stage				
13)∏ Ad sin	application from the Internate the attached detailed Office act knowledgment is made of a claim ce a specific reference was includ CFR 1.78.	ion for a list of for domestic _l	f the certified priority under	copies not receive 35 U.S.C. § 119(e	e) (to a provisiona					
	$oxedsymbol{\square}$ The translation of the foreign $oxedsymbol{R}$									
14)∭ Ad ref	knowledgment is made of a claim erence was included in the first se	for domestic potence of the	priority under specification	35 U.S.C. §§ 120 or in an Applicatio	and/or 121 since n Data Sheet. 37	a specific CFR 1.78.				
Attachment(:	s)									
1) Notice	of References Cited (PTO-892)		4) [Interview Summary	(PTO-413) Paper No(s)				
	of Draftsperson's Patent Drawing Review ation Disclosure Statement(s) (PTO-1449)		5) [Notice of Informal P						

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This is the fourth office action for serial number 09/698,382, Strap tie Holder, filed on October 27, 2000. Acknowledgment is mad of applicant's request for continued examination filed September 26, 2003.

Claim Rejections - 35 USC § 112

Claims 2, 6-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "a formboard", which is found at line 2, and is a double inclusion of "a formboard" which is found at line 9 of claim 1. The inclusion of the same element twice makes the claim indefinite.

Claim 6, lines 3-6, recites a third, fourth, fifth, and sixth flanges without any previous reference to a first and second flange. Therefore, this claim is indefinite.

In claim 7, lines 2 and 4, respectively, "said second flange" lacks proper antecedent basis has been previously recited at line 2 of this claim providing proper antecedent basis. The language should reflect this antecedence; therefore, this language should read --the person's thigh--. Similar problem occurs in claim 5.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by non-patent literature, Advanced Connector Systems, "AFS Holdown Form Shoes" Advanced Connector Systems Catalog, (Arizona), page 34 (1997), hereinafter Advanced Connector. The present invention reads on Advanced Connector: Advanced Connector discloses a connection comprising a support member, a holder, a strap connector, and a fastener means. See attachment. The holder is for compressibly holding the strap connector without penetration. The strap connector compressibly held by the holder without penetration of the strap connector by the holder. The fastener means or fasteners attaching the holder to the support member. The support member is a formboard for containing concrete foundation during pouring and setting (claims 1 and 2). The strap connector is a strap tie hold down (claim 2). The strap connector has a first face and a second face. The holder comprises an attachment portion, compression means and a retaining means for retaining for retaining the compression means to the attachment portion (claim 3). The attachment portion of the holder has a first surface that interfaces with the first face of the strap connector. The compression means of the holder has a second surface that interfaces with the second face of the strap connector, compressibly holding the strap connector (claim 4).

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Furthermore, the attachment portion of the holder has a first and second portion. The first portion is for attaching the holder to the support member in combination with fastener means. The second portion is joined to the first portion wherein the first surface of the attachment portion is located on the second portion (claim 5).

Allowable Subject Matter

Claims 6-21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is an examiner's supplemental statement of reasons for allowance: the retaining means comprises a third, fourth, fifth and sixth flanges; The holder has a transition portion connected to the attachment portion having a first surface that interfaces with the first face of the strap connector; and a wedge having a first surface wherein the wedge is dimensioned to fit the sleeve of the compression means.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Zone.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Baxter whose telephone number is (703) 308-0702. The examiner can normally be reached Monday-Friday from 8:30 A.M. to 5:00 P.M. Eastern Time

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for this Group is (703) 305-3597.

gb November 10, 2003

WENDOLYN BAXTER
PATENT EXAMINER